

REMARKS

I. General Comments

Applicant thanks the Examiner for initialing and signing the PTO/SB/08 Forms submitted with the Information Disclosure Statements filed on October 28, 2003 and December 8, 2003.

Also, Applicant thanks the Examiner for accepting the drawings filed on October 28, 2003. In addition, Applicant thanks the Examiner for acknowledging Applicant's claim of foreign priority under 35 U.S.C. § 119 and receipt of the certified copy of the priority document.

II. Status of the Application

By the present Amendment, Applicant amends claims 1, 13, and 18. Further, Applicant adds new claim 19. No new matter is added.

Claims 1-19 are all the claims pending in the application. Claims 1, 2, 7-13, and 18 have been rejected. The present Amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

III. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 3-6 and 14-17 would be allowable if rewritten in independent form. However, Applicant elects to hold the rewriting of these claims in abeyance at this time.

IV. Objection to the Specification

The Examiner has objected to the specification because the title is not descriptive. Therefore, Applicant is changing the title to "COMPACT DIGITAL CAMERA WITH ZOOM LENS SYSTEM."

V. Claim Rejections Under 35 U.S.C. § 103(a) - Nomura and Wakabayashi

Claims 1, 2, and 7-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Publication No. 2003/0156832 to Nomura et al. (hereinafter “Nomura”) in view of U.S. Patent No. 4,937,609 to Wakabayashi et al. (hereinafter “Wakabayashi”). Applicant respectfully traverses these grounds of rejection.

Independent claim 1 (as amended) recites, *inter alia*, a digital camera

wherein the lens barrel has a lens advancing and saving mechanism in which at the time of the collapse of the lens barrel, the focus lens is saved from an optical axis of the image taking lens and at the time of the extension of the lens barrel, the focus lens is advanced onto the optical axis of the image taking lens, and the lens advancing and saving mechanism saves and advances the focus lens from and onto the optical axis by rotating the focus lens about a fixed shaft.

Applicant submits that Nomura fails to teach or suggest a lens advancing and saving mechanism that saves and advances the focus lens from and onto the optical axis by rotating the focus lens about a fixed shaft, as recited in claim 1. Nomura discloses that the rotatable lens frame 21 holds the second lens group L2 and rotates about the eccentric pivot 20c (§ [0065]). However, in order to retract the second lens group L2, the eccentric pivot 20c (which is part of the second lens group support frame 20) moves rearward along the rotational axis Z2 (§ [0070]).

Further, Applicant submits that Wakabayashi fails to remedy this deficiency in Nomura. Wakabayashi discloses that the soft focus filter 80 is supported by the holding frame 81, which pivots about the shaft 120 (col. 6, lines 17-19). The shaft 120 projects from the support plate 58, which is supported by the guide cylinder 51 (col. 5, lines 54-55; col. 6, lines 19-20). As shown in Fig. 3, the holding frame 81 rotates about the shaft 120 to insert or remove the soft focus filter 80 from the optical path (col. 6, lines 33-38). However, the shaft 120 is not fixed, as recited in

claim 1. Instead, the shaft 120 moves along the optical axis along with the lens housing 56 in order to change from a telephoto state to a wide angle state (col. 6, lines 39-48).

Applicant submits that claim 1 distinguishes over Nomura and Wakabayashi at least by virtue of the aforementioned differences, as well as its additionally recited features. Because claim 13 recites features similar to those discussed above with regard to claim 1, Applicant submits that claim 13 distinguishes over Nomura and Wakabayashi for similar reasons. Further, claims 2 and 7-12 are patentable over Nomura and Wakabayashi at least by virtue of their dependency on claim 1, as well as their additionally recited features.

VI. Claim Rejections Under 35 U.S.C. § 103(a) - Nomura

Claim 18 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nomura. Because claim 18 recites features similar to those discussed above with regard to claim 1, Applicant submits that claim 18 distinguishes over Nomura for similar reasons.

VII. Conclusion

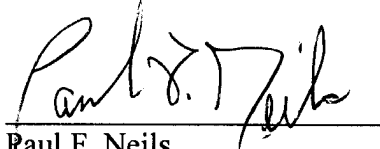
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
APPLICATION NO.: 10/694,089

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul F. Neils", is written over a horizontal line.

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